

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

DARREN GILBERT,

Plaintiff,

v.

DOCTOR'S CHOICE MODESTO LLC, et  
al.,

Defendants.

Case No. 1:21-cv-00690-AWI-SAB

**ORDER RE: STIPULATED MOTION TO  
MODIFY SCHEDULING ORDER**

(ECF Nos. 27, 46)

A scheduling order for this matter issued on October 5, 2021. (ECF No. 27.) In addition to pretrial deadlines, a pretrial conference was set for January 6, 2023, and trial was set for February 28, 2023.

On April 13, 2022, the parties filed a stipulated motion to modify the schedule, titled "stipulation to amend scheduling order," in which they seek to continue all deadlines, including the pretrial conference and trial date, by approximately two months. (ECF No. 46.) The parties proffer the continuances are required in light of defense counsel's pending motion to withdraw as counsel for Amar Kumar, which is currently set for hearing on May 18, 2022. (See ECF Nos. 42, 43.) Due to the pending motion, the parties proffer they cannot complete discovery within the current deadline of May 18, 2022, because Kumar cannot be deposed without her attorney of record present, but she has effectively discharged her counsel and instructed him not to appear at

her deposition. The Court finds good cause exists to grant the parties' stipulated motion.

Accordingly, good cause appearing, IT IS HEREBY ORDERED that the parties' stipulated motion to modify the schedule (ECF No. 46) is GRANTED. The scheduling order is further modified as follows:

1. Non-Expert Discovery Deadline: **July 20, 2022**;
2. Expert Disclosure Deadline: **August 3, 2022**;
3. Supplemental/Rebuttal Expert Disclosure Deadline: **August 17, 2022**;
4. Expert Discovery Deadline: **September 28, 2022**;
5. Dispositive Motion Deadline: **November 2, 2022**;
6. Pretrial Conference is reset for **March 3, 2023**, at **10:00 a.m.**, in Courtroom 2;
7. Trial is reset for **April 25, 2023**, at **8:30 a.m.** in Courtroom 2; and
8. All other aspects of the scheduling order continue to remain in effect.

IT IS SO ORDERED.

Dated: **April 14, 2022**

  
UNITED STATES MAGISTRATE JUDGE